REF. NO. «AltRef»

MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/16/78474

DESCRIPTION	Construction of two & single storey side & rear extensions, rear dormer windows and conversion of house of multiple occupation to 2no. 2 bed dwellings and 1no. 1 bed dwelling with associated amenity area, car parking, bin & cycle storage
ADDRESS	140 Southampton Road Eastleigh SO50 5QX

SITE VISIT DATE	17/6/16
ARE PLANS ACCURATE?	Yes
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	• The application is proposing a two & single storey side & rear extensions, rear dormer windows and conversion of house of multiple occupation to 2no. 2 bed dwellings and 1no. 1 bed dwelling with associated amenity area, car parking, bin & cycle storage
SITE AREA	• 325sqm
RESIDENTIAL DEVELOPMENT DENSITY (NET)	• 92
TOPOGRAPHY	• Flat and level site.
TREES	• No protected trees on or adjacent to the site.
BOUNDARY TREATMENT	• The front is enclosed by a low level boundary wall with shrubs planted behind. A 1.8m wooden gate separates the front from the back. • The rear is enclosed by a combination of varying heights of brick walls and fencing.
SITE CHARACTERISTICS	• The application site contains two storey end of terrace • There is a bay window at ground floor at the front, canopy, and recessed porch • The property is set back from the highway with a small front garden • To the side there is a driveway which provides access to the rear access • At the rear is an enclosed rear amenity space,

THE SITE AND ITS SURROUNDINGS

	mainly of hard standing which leads via a fenced gate to a large area of hard standing used for parking and opening out onto a back way.
CHARACTER OF LOCALITY	• The immediate surrounding area is a mix of residential area opposite open railway tracks. The area is depicted by typical Eastleigh Victorian/Edwardian terraced housing. Within this section of Southampton road the rows of terraces appear fairly original with no front dormer windows apparent. Each terraced row is separated by space between buildings. This space is replicated (and slightly bigger) between the site and the adjacent newer build 3-4 storey block of flats which are modern in appearance and address the corner.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/15/76131	Two storey side extension, one and two storey rear extension and rear dormer to allow the conversion of HMO to 4no. Flats (3no. 1 bed and 1no. 2bed) (Amended description)	Refused Appeal dismissed 11/1/2016 AAP/W1715/W/15/3081083
F/14/74624	Two storey front and side extension, 1 and 2 storey rear extension, and front and side facing former windows to allow 3rd floor living accommodationn and conversion from HMO to 2.no 2 bed flats and 2.no 1 bed flats (amended description)	Refused 22/7/2014
Z/06335/004/00	Conversion into two flats	Permitted 21.12.89
EAB0286800000	Change of use of ground floor room to workshop	Permitted 1960
EAB0404000000	Use of ground floor front room as shop and installation of shop front	Permitted 1963

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Flat 31 unity court	Looking at the supplied plans the current brick wall at the rear and as shown in the plans there is not enough room for three cars, therefore this will cause parking problems for Unity court tenants as well as possible access problems to our underground car park.

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Transportation and Engineering	No objection. In accordance to the EBC Parking Standards, a minimum of 4 unallocated parking spaces should be provided for the 2 x 2-bed and 1 x 1-bed flats proposed. These spaces are shown on plans in an acceptable layout with 3 spaces to the rear and one to the front. As the development quantum is low however, and shared parking will be difficult to achieve due to flow turnover opportunities, it would be recommended that in this specific case, parking is allocated in the form of 1 space per unit. It should however be noted, that as new development, future resident will NOT be entitled to on-street parking permits, and future occupiers should be made fully aware of this prior to any contracts being signed. Cycle parking, bin storage, and bin collection points are also provided. request information in regard to foul and surface water drainage - i.e. where will piping serving the new dwellings connect into the existing systems. Additionally a condition should be in place to ensure the rear access vehicle dropped kerb is implemented prior to construction works beginning. This will ensure parking is available as shown on plans.
Head of Housing and Environmental Health	□ The development site is located on Southampton Road, a highly traffic route that is designated as an Air Quality Management Area (AQMA) □ The development is located within 25m of main railway line where the portsmouth and southampton lines join □ The developement is also located within close proximity to the flight pathway of aircraft assocaited with Southampton Airport □ Therefore there is the potential for the proposed development to be significantly impacted by noise from road traffic, rail and aircraft. The proposed development will be impacted by noise from road traffic, the railway and aircraft, as well as being impacted by poor air quality associated with Southampton Road. These impacts need to be considered and the applicant needs to demonstrate that they have been minimised. These impacts also need to be considered in combination as if internal noise standards cannot be met with windows open alternative means of ventilation will be required. The siting of any vents for the ventilation will require careful consideration to ensure future residents are not subjected to air pollution from Southampton Road. In relation to noise, the applicant needs to carry out an appropriate noise assessment that establishes current site noise levels, demonstrates how internal building layout has been

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	considered to minimise noise impacts, demonstrates that internal and external noise standards can be achieved, and details any necessary mitigation measures. With regards to air quality the applicant needs to provide a mitigation scheme that details how future applicants will be protected from air pollution. The proposed development will be impacted by noise from road traffic, the railway and aircraft, as well as being impacted by poor air quality associated with Southampton Road. These impacts need to be considered and the applicant needs to demonstrate that they have been minimised. These impacts also need to be considered in combination as if internal noise standards cannot be met with windows open alternative means of ventilation will be required. The siting of any vents for the ventilation will require careful consideration to ensure future residents are not subjected to air pollution from Southampton Road. In relation to noise, the applicant needs to carry out an appropriate noise assessment that establishes current site noise levels, demonstrates how internal building layout has been considered to minimise noise impacts, demonstrates that internal and external noise standards can be achieved, and details any necessary mitigation measures. With regards to air quality the applicant needs to provide a mitigation scheme that details how future applicants will be protected from air pollution. Therefore I recommend the following conditions: **NOISE** Development shall not begin until the developer has provided a noise assessment scheme that demonstrates that the impacts of noise affecting the site have been considered. This assessment must give due consideration to external and internal layout as well as orientation of residential dwellings and gardens, in order to minimise noise impacts. The report shall include a scheme of mitigation measures for protecting the development from noise and vibration, this scheme must be submitted for approval by the Local Planning Authority. All works, which form part of the scheme approved by the Local Planning Authority, must be completed before any of the permitted dwellings are occupied (unless agreed by the Local Planning Authority) The scheme shall be fully implemented, unless varied with the written permission of the Local Planning Authority in advance of implementation. **VENTILATION SCHEME** Where acceptable internal noise levels cannot be met with open windows, alternative ventilation, (rapid ventilation or whole house ventilation to ensure temperature control), will

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	be required. Where the site is affected by air pollution in addition to noise, the impacts of this on ventilation need to be considered, so as not to expose future residents to poor air quality. A detailed ventilation scheme taking into account the above must be submitted for approval by the Local Planning Authority (LPA). All works, which form part of the scheme approved by the LPA, must be completed before any of the permitted dwellings are occupied (unless agreed by the LPA). The scheme must be fully implemented, unless varied with written permission of the LPA in advance of implementation. **AIR QUALITY SCHEME** A scheme of mitigation to protect the development from air pollution shall be submitted to the Local Planning Authority. The mitigation must ensure that the levels of air pollution in the dwellings meets with the objectives of the Air Quality Regulations 2000 (as amended). **AIR QUALITY SCHEME VERIFICATION** The development hereby permitted shall not be occupied / brought into use until verification that the approved mitigation scheme required has been fully implemented (unless varied with the written permission of the local planning authority in advance of implementation) submitted to, and approved in writing by, the local planning authority. We recommend that the following conditions are imposed for amenity protection reasons. **HOURS OF WORK** No construction or demolition work must take place except between the hours of 08:00 to 18:00 Mondays to Fridays or 08:00 to 13:00 on Saturdays and not at all on Sundays or Bank Holidays. **NO BURNING** The burning of materials obtained by site clearance or from any other source must not take place without the prior written consent of the local Planning Authority.
HCC Archaeology	No comments received. The comments on the previous application stated 'the site is located in an area of low archaeological potential and this, combined with the small scale of the ground works associated with the proposed development, means that I would not raise an archaeological issue in this instance'.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area

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POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within an Established Character Area Within HCC Mineral Consultation Area Within HCC Archaeological Area

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

Eastleigh Borough Local Plan Review (2001-2011):

- 28.ES (Waste Collection/Recycling)
- 33.ES (Local Air Quality Management)
- 34.ES (Sustainable Development)
- 59.BE (Development Criteria)
- 72.H (Density)
- 85.H (Conversion to Flats)
- 100.T (Minimise Travelling)
- 101.T (Infrastructure Contributions)
- 104.T (Parking)

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, (the Submitted Local Plan) comprising of the Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014'

- DM1 (Development Criteria)
- DM2 (Sustainable Development)
- DM7 (Pollution)
- DM23 (Transport)
- DM24 (Parking)
- DM25 (Residential Development)
- DM29 (Internal Space Standards)

Supplementary Planning Guidance: Quality Places
Supplementary Planning Document: Planning Obligations
Supplementary Planning Document: Environmentally Sustainable Development
Supplementary Planning Document: Residential Parking Standards
Supplementary Planning Document: Character Area Appraisal Eastleigh (2008)

CHARACTER APPRAISAL AREA

Eastleigh Character Area – ELAC15

SPECIAL POLICY AREA

Not within a Special Policy Area

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework highlights that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people" (para 56) and goes on to state that decisions should aim

NATIONAL PLANNING POLICY GUIDANCE

to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development (para 58).

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to residential amenity, highway matters, street scene and character of the area.

COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

The parking arrangements are acceptable and no objection has been raised by the head of Transportation and Engineering.

PLANNING OBLIGATION/CONSIDERATIONS

NA

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

MATERIAL CONSIDERATIONS

Principle

The application site lies within the urban edge and within an established residential area where saved policy 72.H accepts the general principle of conversions/creation of new dwellings subject to compliance with other relevant saved policies of the plan.

Saved policy 85.H deals specifically with conversions of existing properties to flats. The existing property is an end of terrace and the existing floor area is approx 117sqm and therefore complies with policy however it also requires consideration to the cumulative impact of conversions on the character of the area, environmental/amenity impacts, parking and loss of family housing. It is considered that the proposal is capable of providing sufficient and appropriate car parking, bike and bin storage and therefore meets policy requirements. These matters are considered in more detail below.

Layout and Design and Impact upon the Character and Appearance

This application has been submitted following two refusals and an appeal which was dismissed. The most recent application was refused on the basis that the proposed development by reason of its scale, form, layout, and quantum of development represents

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

an inappropriate form of development that would provide:
(i) Inadequate internal space standards that would result in a poor quality living environment for future occupants; and
(ii) Lack of light and overbearing impacts on the bedrooms within the ground floor flats due to the close proximity of the neighbouring building.

Further to which insufficient information was provided to allow for the assessment of the proposal upon the amenity of neighbouring properties.

The proposed extension and alterations have been reduced from the previously refused scheme. The side extension is not set back from the frontage though this is not a cause of concern owing to the overall proportionate scale and mass. At the rear the roof profile of the two storey rear extension has been altered by significantly lowering the overall pitch which has reduced the bulk considerably and reducing the depth and width. The rear dormer sits comfortably within the roof and is set in from the ridge and eaves, and the windows are much more appropriate and re-address the balance which the previous scheme failed to do.

The frontage of the property is to be converted to hardstanding with side access to the rear retained. To the rear an area of private amenity space and a larger communal space is provided with room available for bike and bin storage. Beyond the amenity space is a paved parking area for three vehicles. The previous application considered this element acceptable and there no concern with this element on this application.

Whist the property remains an end of terrace it is acknowledged that the side extension will erode some of the spacing between it and the neighbouring block of flats. This is not however considered to have a significant detrimental impact on the street scene due to the location of the site on an open junction. The property is not highly visible which is in part due to the curved façade of Unity Court which occupies a prominent corner plot. Therefore the proposal will not have a detrimental impact on the host property or its appearance within the street scene of Southampton Road. The rear of the site is open onto Market Street, albeit onto back gardens and a backway, however the full scale and mass of the proposed extension/alterations will be highly visible. The various roof heights and forms, increased height to a 3 storey building, and the overall appearance will appear visually prominent. In relation to the 4 storey block of flats adjacent the dwelling will remain subservient and will create a more subtly stepping of the built forms from 4 storeys, to three and down to more traditional 2 storey houses. Whilst the rear of the property is not ideal its design and form is not so bad as to justify refusal on the basis of its impact on the street scene. The creation of a block paved area of hard standing to the rear will tidy and improve its appearance helping to mitigate its design.

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Residential Amenity

To support policies 59.BE and emerging Policy DM1 and to assist with assessing the impact of a development on neighbouring properties Supplementary Planning Guidance: Quality Places has been produced which gives guidance on overlooking, loss of light, amenity space for new dwellings and refuse storage. It also provides details of the expectations for new development in terms of internal and external space standards.

The Quality Places guidance provides advice on the level of private/communal amenity space required for flats. The requirement for communal space is 25sqm per flat with a minimum of 3sqm private space. The proposal identifies a communal garden and incidental circulation space which is also usable. With an area of approx 83sqm this is considered sufficient for the proposed flats. In addition the ground floor flat has access to a more private area of approx 18sqm. Overall this is considered acceptable.

As set out above, emerging Policy DM1 and DM29 and saved Policy 59.BE, along with the Quality Places SPD aim to ensure development provides adequate and quality living environments that are fit for purpose and meet lifetime home standards. Whilst DM29 currently holds limited weight it is provides a good reference/guide as to what internal space standards would be acceptable and fit for purpose with a 1 bed flat expected to provide no less than 51sqm and a 2 bed flat expected to provide 66sqm of floor area.

Flat 1 of the 2 bed would provide 47sqm, flat 2 of the 2 bed would provide 64sqm and flat 3 of the one bed would provide 48sqm. The proposed flats are smaller thereby suggesting that the accommodation provided would result in a poor quality living environment for future occupants. In terms of the internal layout the overall flat sizes appear to below internal space standards as set out within emerging Policy DM29. The previous application also had this concern which was further thought to be 'compounded by the lack of light provided to the flats, particularly the ground floor flats who primary bedroom windows are in very close proximity to the flank wall of Unity Court. Given the depth and width of the flank wall of Unity Court these rooms will have a poor outlook onto a blank flank wall and in the absence of a lighting report confirming otherwise it is considered that these rooms will be prevented from receiving acceptable levels of light'.

The Inspector when considering the appeal for AAP/W1715/W/15/3081083 (previous refused application) stated that "Policy DM29 seeks to establish minimum internal space standards that have not been tested for their soundness at an independent examination. On this basis and under the provisions of paragraph 216 of the Framework I am unable to afford the standards of Policy DM29 significant weight" "Suitable circulation space for normal living activities including washing, dressing, cooking, eating and playing is sought within the SPD, and from the details provided within the plans it appears to me that adequate spaces for these activities can be provided for each of the proposed flats. In the absence of any other evidence of harm, therefore, I find the individual sizes of the flats to be adequate for planning purposes." The Inspectors findings carry's significant weight, thus the level of light which was of concern on the previous application is not a concern as the flank wall of the two storey side extension has been reduced adjacent to Unity Court, therefore mitigating this previous concern.

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In terms of the impact upon Unity Court, the proposed extension is set in by 2.7 metres where before it was 1m from the boundary, where all side windows within Unity Court serve bathrooms. This distance has addressed the previous concerns, further to which the windows serve bathrooms and as these are not considered habitable rooms and will be naturally lit albeit by a reduced amount. The proposed frontage does step out further and comes in closer proximity to the closest section of Unity Court. The previous application expressed concerns about the impact that would be had to the occupiers of Unity Court. The Inspector found that the close proximity of the proposal would be unduly close enclosed by the close proximity and forward siting of the side extension and how it would reduce the outlook. In addition there was a concern *that despite Unity Court being at a slightly elevated position and despite windows in unit court being set in, lighting tests undertaken on elevation and block plans (as set out within the Quality Places SPD) suggest that the proposal has potential to result in a detrimental loss of light to flats within unity court and in the absence of a lighting reports or sufficient plans there is concern that this loss of light on the main living area at the front and bedroom areas to the rear would be detrimental.*

Notwithstanding the Inspectors findings and the concerns raised by the case officer, the topography and finished floor levels at Unity court windows are set at a higher position than that on the site. Because of the elevated position of windows in Unity Court there are not considered to be any overlooking issues from side windows within the proposed development and vice versa.

The plans indicate that the two storey rear element will project 1.2m further than the existing building. The previous application highlighted how this element would have an impact upon the occupiers of number 142 in terms of loss of light and general outlook. The application of the 45 Degree Code whilst showing the proposal will be noticeable, the impact to the amenity would not be unreasonable. The overall bulk, mass and scale of this element has been reduced. The application site being to the east means that good level of daylight will be received throughout the day.

The stacking arrangement of the proposal has been improved, where noise sensitive uses are located near or on top of each other.

Highway

Access to the front of the site will be on foot via Southampton road and front to back access is created via a 1m footpath through the site. The proposed frontage parking space will be retained with additional parking for 3 vehicles provided to the rear all serviced via public highway. Whilst there would be increased vehicle movements generated by the proposal access is considered to be acceptable.

Saved Policy 100.T expects development to be sited close to, or well served by, public transport, cycling and walking. The site is in Eastleigh Town Centre where there main bus routes, train station, and is within easy walking distance from schools and shops. The site is therefore considered to be highly accessible.

Saved Policy 104.T states permission will only be granted for development that provides adequate off-highway parking provision and our Parking Standards SPD supports this.

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EBC Parking Standards require 1 space per one bed property and 2 spaces per 2/3 bed property plus a 20% provision for visitor/overflow parking. The application identifies that 4 car parking spaces would be provided, 3 to the rear and 1 on the frontage, however this would still be below standards and would provide no visitor parking. In this highly accessible town centre location however and given its location within a controlled parking zone where additional permits will not be issued this reduced parking is considered acceptable.

With regard to cycle parking, plans identify a communal store located to the rear of the amenity space, which is acceptable.

Air Quality

The application site is within one of the boroughs Air Quality Management Area and saved policy 33.ES requires new development to provide a suitable air quality assessment to be carried. The head of Environmental Health have raised no objections as such but have said that the applicant need to carry out and appropriate noise assessment assessment that establishes current site noise levels, demonstrates how internal building layout has been considered to minimise noise impacts, demonstrates that internal and external noise standards can be achieved, and details any necessary mitigation measures. With regards to air quality the applicant needs to provide a mitigation scheme that details how future applicants will be protected from air pollution.

Although no such plan/information has been submitted by the applicant it is considered that on this occasion suitably worded conditions would adequatley address this, further to which the suggested conditions as per the dismissed appeal are considered appropriate to use.

Refuse Collection

Saved Policy 28.ES, emerging policy DM1, and the Quality Places SPD requires adequate provision of waste disposal/bins to be provided. The plans indicate the location of bin storage to the rear which is acceptable and the rear is serviced by the Councils refuse team.

Sustainability

In accordance with saved policy 34.ES and 37.ES dwellings require development to be sustainable. Our Environmentally Sustainable Development SPD supports and enhances these requirements. The proposal however is a conversion of an existing building and therefore the SPD requirements are not relevant to this application.

Nature Conservation

The proposal is not considered to result in a likely significant impact on a European Protected site (SPA,SAC or Ramsar). HRA (Habitat Regulations Assessment) screening was required for this development as it falls outside the designated zone of impact.

The site falls outside the 5.6kn buffer zone for the Solent SPA. A contribution of £176 per dwelling is not therefore required to mitigate the increased recreational pressure resulting from the development.

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ASSESSMENT OF PROPOSAL

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OTHER MATERIAL CONSIDERATIONS

Reference needs to be made to the submitted Eastleigh Borough Local plan 2011-2029 July 2014. However, very little weight can be given to these policies as, although the Submission Local Plan has not been formally withdrawn, the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. With regard to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSIONS

The revised application has sufficiently addressed the previous reasons for refusal and is in accordance with policy.